

SECRETARY OF **LABOR**  
WASHINGTON, D.C.

In the Matter of

PATRICK J. CROWLEY

**v.**

POLICE ATHLETIC LEAGUE,  
INC., AND CITY OF BUFFALO,  
NEW YORK

Case No. 82-CET-20

## REMAND ORDER

Now before me is an order by the U.S. Court of Appeals for the Second Circuit, in the matter of City of Buffalo, New York v. United States Department of Labor and Patrick J. Crowley (Docket No. **83-4096**; No. 373, August Term 1983; decided January 20, 1984), 1/ remanding to me the Administrative Law Judge's (ALJ's) decision in the above-captioned Departmental proceeding for reconsideration of the remedy ordered by the ALJ.

In particular, the court raises questions concerning the appropriateness of the **ALJ's** order that --

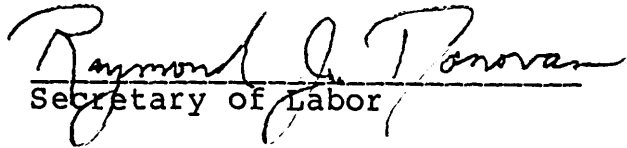
... the Police Athletic League, Inc., and the City of Buffalo reinstate Complainant to the same or comparable position with restoration of full benefits and seniority, and pay to the complainant, Patrick J. Crowley, back pay from the date of his termination, January 16, 1981, to the date of his reinstatement ....

Since this matter was not Departmentally adjudicated beyond the ALJ level, and in view of the familiarity of the ALJ involved

1/ Attached hereto as Appendix A of this Remand Order.

with the record therein, I am persuaded that this case should be remanded to the Office of Administrative Law Judges.

Accordingly, it is Ordered that the above-captioned matter IS REMANDED to the Office of Administrative Law Judges of this Department for further proceedings consistent with the court's opinion.

  
Secretary of Labor

Dated: APR 12 1984  
Washington, D.C.

CERTIFICATE OF SERVICE

Case Name: Patrick J. Crowley v. Police Athletic League,  
Inc., and City of Buffalo, New York

Case No. 82-CET-20

Document: REMAND ORDER

A copy of the foregoing document was mailed to each of the following  
persons listed below on April 12, 1984.

James D. Griffin

CERTIFIED MAIL

Patrick J. Crowley  
c/o Patrick J. Quinlivan, Esq.  
10 Ellicott Square  
Buffalo, NY 14203

Police Athletic League, Inc.  
Special Projects Administration  
703 Main Street  
Buffalo, NY 14203

Mayor James D. Griffin  
65 Niagara Square, City Hall  
Buffalo, NY 14203

James A. Ware  
Regional Administrator  
U.S. Department of Labor/ETA  
1515 Broadway  
New York, NY 10036

Associate Solicitor for Employment  
and Training  
U.S. Department of Labor  
200 Constitution Ave., N.W.  
Room N-2101  
Washington, D.C. 20210

Mary Louise Hayden  
Assistant Corporation  
Counsel  
City of Buffalo  
Department of Law  
1100 City Hall  
Buffalo, NY 14202

Francis V. LaRuffa  
Regional Solicitor  
U.S. Department of Labor  
1515 Broadway, Room 3555  
New York, NY 10036

Honorable Nahum Litt  
Chief Administrative  
Law Judge  
Suite 700  
1111 20th Street, N.W.  
Washington, D.C. 20036